

**Effective 5/14/2019**

**Part 13**  
**Teacher and Student Success Program**

**53G-7-1301 Definitions.**

As used in this part:

- (1) "LEA distribution" means the money distributed by the state board to an LEA as described in Section 53G-7-1303.
- (2) "LEA governing board student success framework" means an LEA governing board student success framework described in Section 53G-7-1304.
- (3) "Principal" means the chief administrator at a school, including:
  - (a) a school principal;
  - (b) a charter school director; or
  - (c) the superintendent of the Utah Schools for the Deaf and the Blind.
- (4) "School allocation" means the amount of money allocated to a school or the Utah Schools for the Deaf and the Blind by an LEA governing board, as described in Section 53G-7-1304.
- (5) "School personnel" means an individual who:
  - (a) is employed by an LEA; and
  - (b) in an academic role, works directly with and supports students in a school.
- (6) "Statewide accountability system" means the statewide school accountability system described in Title 53E, Chapter 5, Part 2, School Accountability System.
- (7) "Teacher and student success plan" or "success plan" means a school performance and student academic achievement improvement plan described in Section 53G-7-1305.
- (8) "Teacher and Student Success Program" or "program" means the Teacher and Student Success Program described in this part.

Enacted by Chapter 505, 2019 General Session

**53G-7-1302 Teacher and Student Success Program created.**

There is created the Teacher and Student Success Program to improve school performance and student academic achievement, as described in this part.

Enacted by Chapter 505, 2019 General Session

**53G-7-1303 State funding distribution.**

The state board shall distribute program funding to an LEA as described in Section 53F-2-416.

Enacted by Chapter 505, 2019 General Session

**53G-7-1304 Program requirements -- LEA governing board student success framework -- LEA distribution -- School allocation -- Reporting.**

- (1)
  - (a) To receive an LEA distribution, an LEA governing board shall:
    - (i) adopt an LEA governing board student success framework to provide guidelines and processes for a school within the LEA governing board's LEA to follow in developing a teacher and student success plan; and
    - (ii) submit the adopted LEA governing board student success framework to the state board.

- (b) An LEA governing board may include in the LEA governing board's student success framework any means reasonably designed to improve school performance or student academic achievement, including:
    - (i) school personnel stipends for taking on additional responsibility outside of a typical work assignment;
    - (ii) professional learning;
    - (iii) additional school employees, including counselors, social workers, mental health workers, tutors, media specialists, information technology specialists, or other specialists;
    - (iv) technology;
    - (v) before- or after-school programs;
    - (vi) summer school programs;
    - (vii) community support programs or partnerships;
    - (viii) early childhood education;
    - (ix) class size reduction strategies;
    - (x) augmentation of existing programs; or
    - (xi) other means.
  - (c) An LEA governing board student success framework may not support the use of program money:
    - (i) to supplant funding for existing public education programs;
    - (ii) for district administration costs; or
    - (iii) for capital expenditures.
- (2)
- (a) An LEA governing board shall use an LEA distribution as follows:
    - (i) for increases to base salary and salary driven benefits for school personnel that, except as provided in Subsection (2)(c)(i), total 25% or less of the LEA distribution; and
    - (ii) except as provided in Subsection (2)(b)(ii) and in accordance with Subsection (3), for each school within the LEA governing board's LEA, an allocation that is equal to the product of:
      - (A) the percentage of the school's prior year average daily membership compared to the total prior year average daily membership for all schools in the LEA; and
      - (B) the remaining amount of the LEA governing board's LEA distribution after subtracting the amounts described in Subsections (2)(a)(i) and (2)(b)(ii).
  - (b)
    - (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules for an LEA governing board to calculate and distribute a school allocation for a school in the school's first year of operation.
    - (ii) In accordance with Subsection (3) and the rules described in Subsection (2)(b)(i), an LEA governing board shall distribute a school allocation for a school in the school's first year of operation.
  - (c) Except as provided in Subsection (2)(d), the LEA governing board of a school district may use up to 40% of an LEA distribution for the purposes described in Subsection (2)(a)(i), if:
    - (i) the LEA governing board has:
      - (A) approved a board local levy for the maximum amount allowed under Section 53F-8-302; or
      - (B) after the LEA governing board has submitted an LEA governing board student success framework to the state board, increased the board local levy described in Section 53F-8-302 by at least .0001 per dollar of taxable value; and
    - (ii) the school district's average teacher salary is below the state average teacher salary described in Subsection (2)(f).

- (d) The LEA governing board of a school district in a county of the fourth, fifth, or sixth class or the LEA governing board of a charter school may use up to 40% of an LEA distribution for the purposes described in Subsection (2)(a)(i), if the LEA's average teacher salary is below the state average teacher salary described in Subsection (2)(f).
  - (e) An LEA governing board shall annually report information as requested by the state board for the state board to calculate a state average teacher salary.
  - (f) The state board shall use the information described in Subsection (2)(c)(ii) to calculate a state average teacher salary amount and a state average teacher benefit amount.
- (3) An LEA governing board shall allocate a school allocation to a school with a teacher and student success plan that is approved as described in Section 53G-7-1305.
- (4)
- (a) Except as provided in Subsection (4)(b), a school shall use a school allocation to implement the school's success plan.
  - (b) A school may use up to 5% of the school's school allocation to fund school personnel retention at the principal's discretion, not including uniform salary increases.
  - (c) A school may not use a school allocation for:
    - (i) capital expenditures; or
    - (ii) a purpose that is not supported by the LEA governing board student success framework for the school's LEA.
- (5) A school that receives a school allocation shall annually:
- (a) submit to the school's LEA governing board a description of:
    - (i) the budgeted and actual expenditures of the school's school allocation;
    - (ii) how the expenditures relate to the school's success plan; and
    - (iii) how the school measures the success of the school's participation in the program; and
  - (b) post on the school's website:
    - (i) the school's approved success plan;
    - (ii) a description of the school's school allocation budgeted and actual expenditures and how the expenditures help the school accomplish the school's success plan; and
    - (iii) the school's current level of performance, as described in Section 53G-7-1306, according to the indicators described in Section 53E-5-205 or 53E-5-206.

Amended by Chapter 408, 2020 General Session

**53G-7-1305 Teacher and student success plans -- Plan review and approval.**

- (1)
- (a) The principal of a school shall develop the school's teacher and student success plan:
    - (i) in accordance with the LEA governing board student success framework for the school's LEA;
    - (ii) by integrating school-specific goals and criteria for improving the school's performance within the state accountability system; and
    - (iii) if the school has a school turnaround plan as defined in Section 53E-5-301, in accordance with the school's school turnaround plan.
  - (b) A principal shall solicit input on developing a success plan from:
    - (i) for a district school or charter school:
      - (A) the school community council, as defined in Section 53G-7-1202; or
      - (B) the charter trust land council, as described in Section 53G-7-1205;
    - (ii) school-level educators;
    - (iii) parents of students at the school; and

- (iv) school-level administrators.
- (c) A principal may solicit input on developing a success plan from:
  - (i) students;
  - (ii) support professionals; or
  - (iii) other community stakeholders.
- (2)
  - (a) The principal of a school shall submit a proposed success plan to the school's LEA governing board.
  - (b) An LEA governing board shall:
    - (i) annually review each success plan submitted for a school within the LEA governing board's LEA;
    - (ii) in a regularly scheduled LEA governing board meeting, approve or disapprove each submitted success plan; and
    - (iii) upon disapproval of a success plan:
      - (A) explain in writing the reason for disapproval;
      - (B) make recommendations for revision; and
      - (C) allow the principal who submitted the success plan to resubmit a revised plan for review and approval.
  - (3) An LEA governing board shall make the LEA governing board's best efforts to help a school complete the approval process described in Subsection (2) on or before June 30 of each year.
  - (4) A council, as defined in Section 53G-7-1206, shall select a component of the approved success plan for the council's school to address within the council's School LAND Trust Program, in accordance with Section 53G-7-1206.

Enacted by Chapter 505, 2019 General Session

**53G-7-1306 School improvement oversight -- Performance standards.**

- (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules that:
  - (a) using a criteria-setting process, determine a threshold of points under the statewide school accountability system that designates a school as succeeding in school performance and student academic achievement; and
  - (b) determine performance standards for a school described in Section 53E-5-203.
- (2)
  - (a) Except as provided in Subsection (3), for each year following the year in which a school received approval for a success plan, an LEA governing board shall determine if the school:
    - (i) meets or exceeds the threshold of points described in Subsection (1);
    - (ii) has demonstrated at least a 1% increase in the school's total points received under the statewide school accountability system compared to the previous school year; or
    - (iii) qualifies for and satisfies the performance standards described in Subsection (1)(b).
  - (b) If the LEA governing board determines that a school does not satisfy Subsection (2)(a)(i), (ii), or (iii), the LEA governing board shall:
    - (i) work with the school's principal to modify the school's success plan to address the school's performance; and
    - (ii) oversee and adjust the school's allocation expenditures until the LEA governing board determines the school satisfies Subsection (2)(a)(i), (ii), or (iii).
- (3) An LEA is not required to make the determination described in Subsection (2)(a) during the 2021-2022 school year.

Amended by Chapter 346, 2021 General Session